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Defendant in Pro Per BILL FORD and
Attorney for Defendants SUSAN FEDERIGHI and JEFFREY FORD

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

KEVIN R. McLEAN,
Plaintiff,

v.

WORLD SAVINGS FSB; INTEGRITY
INVESTMENT GROUP LLC; GOLDEN
WEST SAVINGS ASSOCIATION
SERVICE CO.; SUSAN FEDERIGHI;
BILL FORD; JEFFREY FORD;
CALIFORNIA FRANCHISE TAX
BOARD; WILLIAM L. VEEN,

Defendants.

CASE NO.: 3:07-cv-5594 JSW

**DEFENDANTS BILL FORD'S, SUSAN
FEDERIGHI'S, AND JEFFREY FORD'S
REPLY BRIEF IN SUPPORT OF
MOTION TO DISMISS PURSUANT TO
FRCP 12(B)(1)**

Date: March 28, 2008
Time: 9:00 a.m.
Ctroom: 2, 17th Floor
Judge: Hon. Jeffrey S. White

I. ARGUMENT

Plaintiff's argument in opposition to the Bank and Individual Defendants' motions to dismiss is without merit and fails to address the jurisdictional issues in this case. Plaintiff's instant action, concerning a foreclosure sale governed by California law, is separate and apart from his prior bankruptcy action. As such, *In Re Acosta*, 181 B.R. 477 (Bkrtcy.D.Ariz., 1995), where the court was

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1 not presented with jurisdictional issues, is irrelevant to the jurisdictional question presented to this
2 Court. Therefore, Plaintiff's complaint should be dismissed without leave to amend.

3 /S/

4 DATED: February 28, 2008

By: _____
Defendant In Pro Per Bill Ford and Attorney for
Defendants Susan Federighi and Jeffery Ford

KEVIN R. McLEAN v. WORLD SAVINGS FSB, et al.

United States District Court
for the Northern District of California
San Francisco Division - Case No.: 3:07-cv-5594 JSW

PROOF OF SERVICE

I, the undersigned, hereby declare that I am over the age of eighteen years and not a party to the within action. My business address is 1111 Bayhill Drive, Suite 300, San Bruno, CA 94066. On the date indicated below, I served the within:

DEFENDANTS BILL FORD'S, SUSAN FEDERIGHI'S, AND JEFFREY FORD'S REPLY BRIEF IN SUPPORT OF MOTION TO DISMISS PURSUANT TO FRCP 12(B)(1)

on the parties in this action by transmitting a true copy of the foregoing document(s) in the following manner:

Kevin R. McLean, Esq. Law Offices of Belli & McLean 473 Jackson Street, 2nd Floor San Francisco, CA 94111 Tel: (415) 981-0100 Fax: (415) 981-2050 E-mail: krm@bellilaw.com <u>Pro Sec</u>	Rosalie Euna Kim, Esq. Reed Smith LLP Two Embarcadero Center, Suite 2000 San Francisco, CA 94111 Tel: (415) 659-5949 E-mail: ekim@reedsmith.com <u>Attys for World Savings FSB and Goldn West Savings Association Service Co.</u>
William L. Veen, Esq. The Veen Firm, P.C. 711 Van Ness Avenue, Suite 220 San Francisco, CA 94102 Tel: (415) 673-4800 Fax: (415) 771-5845 e-mail: mc.team@veenfirm.com <u>Attys for William L. Veen</u>	Mark J. Romeo, Esq. Law Offices of Mark J. Romeo 153 Townsend Street, Suite 950 San Francisco, CA 94107-1907 Tel: (415) 495-2152 E-mail: romeolaw@msn.com <u>Attys for Integrity Investment Group, LLC</u>



(BY UNITED STATES MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the address listed above and (specify one).

(1) ☐ deposited the seal envelope with the United States Postal Service, with the postage fully pre-paid.

(2) ☐ placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.



(BY PERSONAL SERVICE) I personally delivered the documents to the persons at the addresses as set forth above. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the documents in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) for a party, delivery was made to the party or by leaving the documents at the party's residence with some person not less than 18 years of age between the hours of eight in the morning and six in the evening.

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(BY FAX TRANSMISSION) Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers set forth above. No error was reported by the fax machine that I used. A copy of the record of transmission, which I printed out, is attached.

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(BY OVERNIGHT DELIVERY) I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons set forth above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

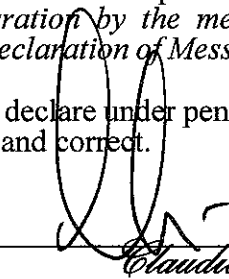
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(BY E-MAIL OR ELECTRONIC TRANSMISSION) Based on a Court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addressed as noted above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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(BY MESSENGER SERVICE) I served the documents by placing them in an envelope or package addressed to the persons at the addresses as noted above and providing them to a professional messenger service for service. *(A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.)*

Executed on February 28, 2008 at San Bruno, California. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.



Claudia Gomez